

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 27 2024

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

REAL ESTATE EXCHANGE INC, a
Delaware corporation,

Plaintiff - Appellant,

v.

ZILLOW GROUP, INC., a Washington
corporation and NATIONAL
ASSOCIATION OF REALTORS,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Amicus Curiae.

No. 24-685

D.C. No.

2:21-cv-00312-TSZ

Western District of Washington,
Seattle

ORDER

REAL ESTATE EXCHANGE INC,

Plaintiff - Appellee,

v.

NATIONAL ASSOCIATION OF
REALTORS,

Defendant,

and

ZILLOW GROUP, INC.,

No. 24-1050

D.C. No.

2:21-cv-00312-TSZ

Western District of Washington,
Seattle

Defendant - Appellant,

UNITED STATES OF AMERICA,

Amicus Curiae.

Before: Lisa B. Fitzgerald, Appellate Commissioner.

The stipulated motion for voluntary dismissal of cross-appeal No. 24-1050 (Docket Entry No. 27 in No. 24-685) is granted. Cross-appeal No. 24-1050 is dismissed. *See* Fed. R. App. P. 42(b).

This order served on the district court will be the mandate of this court as to appeal No. 24-1050 only. Appeal No. 24-685 will proceed.

Appellant Real Estate Exchange Inc. filed notices of intent to file publicly the opening brief and Volumes 7 through 10 of the excerpts of record (Docket Entry Nos. 16, 20). *See* 9th Cir. R. 27-13(f). No other party has filed a motion to file or maintain these documents under seal. Therefore, the Clerk will unseal the notices (Docket Entry Nos. 16.1, 20.1), and file publicly the opening brief (Docket Entry No. 21) and Volumes 1 through 10 of the excerpts of record (Docket Entry Nos. 15, 18).

The answering briefs are due July 31, 2024. The optional reply brief is due within 21 days after service of the last-served answering brief.